

Remarks

Applicants elect Group I with traverse, the claims to Group II (14-21) are withdrawn. Further, applicants choose species (c) "prostaglandin related compound being bimatoprost in claims 12, 13, 24."

Applicants disagree with the Office's allegation that the claims "lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1." According to US Law, an "inventive concept" is one that is useful, novel, and non-obvious under sections 101, 102, and 103. The Office admits that there is a "special technical feature linking Groups I and II [which] is the combination of a prostaglandin or prostamide and a trefoil factor family peptide." However, the Office does not explain why this is not a general inventive concept. The Office cites two references (US 7,707,827 and US 6,984,628) and alleges what these references teach, but does not explain why this means that the present claims lack a "single general inventive concept." Applicants presume that the Office believes that the "special technical feature" is obvious. However, the Office has not explained how the claimed references suggest "the combination of a prostaglandin or a prostamide and a trefoil factor family peptide." The mere fact that the two different components may be found in two different references is not sufficient to suggest the combination of the two components. Therefore, the claims are not obvious and the unity of invention objection is improper. The International Preliminary Report on Patentability did not find lack of inventive step or lack of unity of invention. Thus, Applicants respectfully request that the claims be rejoined.

Please use Deposit Account 01-0885 for extension of time fees or any other fees or credits relating to this response.

Respectfully submitted,

Date: March 26, 2007

/Brent A. Johnson/
Brent A. Johnson
Registration No. 51,851
Agent of Record

Please send all inquiries and correspondence to:

Brent A. Johnson
Allergan, Inc. (T2-7H)
2525 Dupont Drive
Irvine, CA 92612
Telephone: 714/246-4348
Telecopier: 714/246-4249